

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CLOANTO CORPORATION, AMIGA, INC., ITEC,
LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiffs,

v.

HYPERION ENTERTAINMENT CVBA,

Defendant.

Civil Action No.: 2:18-cv-00381-RSM
(consolidated with 2:18-cv-00535)

ORDER GRANTING PLAINTIFFS'
MOTION TO VACATE AND RESET
PRETRIAL CALENDAR, AND TO
ALLOW THE PARTIES TIME TO
DEPOSE A NEW WITNESS

HYPERION ENTERTAINMENT CVBA

Counterclaim Plaintiff,

v.

CLOANTO CORPORATION, AMIGA, INC., ITEC,
LLC and AMINO DEVELOPMENT
CORPORATION,

Counterclaim
Defendants.

ORDER GRANTING PLAINTIFFS' MOTION TO VACATE AND RESET PRETRIAL
CALENDAR, AND TO ALLOW THE PARTIES TIME TO DEPOSE A NEW WITNESS

1 This matter comes before the Court on Plaintiffs Cloanto Corporation, Amiga, Inc., ITEC
2 LLC, and Amino Development Corporation (collectively, "Plaintiffs")'s unopposed Motion to
3 Vacate and Reset Pretrial Calendar, and to Allow the Parties Time to Depose a New Witness.
4 Dkt. #117. As of the date of this Order, Defendants Hyperion Entertainment CVBA
5 ("Hyperion") has not filed a response.

6 The Court is in receipt of a document entitled "Defendant's Objection and Cross-Motion
7 to Vacate and Reset Pretrial Calendar," sent via e-mail to this Court's Orders inbox by Ben
8 Hermans, Managing Director and Principal for Hyperion. The communication explains that
9 Defendant's attorney, Eric Harrison, is unreachable at this time. Consequently, Mr. Hermans
10 submitted the objection and cross-motion in his capacity as sole director and principal of
11 Hyperion.

12 Pursuant to this Court's local rules, counsel is required to electronically file documents
13 through the court's electronic filing system and to comply with electronic filing procedures.
14 W.D. Wash. Local Rules LCR 5(d). Given that Hyperion is currently represented by Mr.
15 Harrison, Mr. Hermans' word document is not properly before the Court as an opposition to
16 Plaintiff's motion.

17 Accordingly, Plaintiffs' unopposed motion is GRANTED as set forth below. To the
18 extent Hyperion seeks further amendment of case deadlines, this Order does not preclude it from
19 seeking further relief.

20 CONCLUSION

21 Having reviewed Plaintiffs' unopposed motion, the Court ORDERS as follows:

- 22 1. Plaintiffs' motion is granted.
- 23 2. All current pre-trial dates in this matter are stricken, and the pre-trial schedule is
24 set as follows:

25 //

26 //

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CALENDAR, AND TO ALLOW THE PARTIES TIME TO DEPOSE A NEW WITNESS

Deadline/Event

Proposed

Deposition of Evert Carton to occur no later than

30 days following the date of this Order

Agreed pretrial order due

60 days following the Court's decision on the motions for summary judgment

Plaintiffs' pre-trial brief due

30 days following the Court's decision on the motions for summary judgment

Defendant's pre-trial brief due

40 days following the Court's decision on the motions for summary judgment

Pretrial conference

To be set by Court

All motions *in limine* must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter

50 days following the Court's decision on the motions for summary judgment

Trial brief, proposed *voir dire* questions, jury instructions, neutral statement of the case, and trial exhibits due

To be set by Court

Trial date

To be set by Court

DATED this 28th day of May 2021.



RICARDO S. MARTINEZ
CHIEF UNITED STATES DISTRICT JUDGE

ORDER GRANTING PLAINTIFFS' MOTION TO VACATE AND RESET PRETRIAL CALENDAR, AND TO ALLOW THE PARTIES TIME TO DEPOSE A NEW WITNESS